

and that is why a really imaginative effort is needed for which the total Indian leadership has got to get ready. And that is something which they have not done.

It is not enough to state repeatedly that Kashmir's right of self-determination has already been exercised and that the whole matter is a chapter which is completed. When Pakistan has committed aggression and does not propose to vacate aggression, when a referendum, in these circumstances, would adversely affect the interests of the minority both in India and in Pakistan, when India cannot possibly leave her defences in disarray in that part of the sub-continent, what is necessary is not heated reiteration of the declaration about the accession being full, final and irrevocable but what is necessary is a get-together with all relevant elements. I suggest to the Government that we must have a get-together with Sheikh Abdullah and other people to discuss and agree on practical ways of a settlement. I say this because, whatever you might say against Sheikh Abdulla, he has been against Kashmir merging into Pakistan and has been realistic enough to note that India after her last experience of Pakistani aggression, can never accept anything remotely like de-accession of the State from the Union. Therefore, my suggestion is, let us not merely reiterate that Kashmir is a domestic question which we have already disposed of. Whether we like it or not, Kashmir has become a world question.

Shri Lal Bahadur Shastri himself had said that almost every country wants that we should somehow settle the question of Kashmir peacefully. Acharya Vinobha Bhave and others have also suggested the same thing. My suggestion to the Government would be to go ahead in this matter.

We have this Bill. My hon. friend, Shri Bal Raj Madhok, has an amendment that all the laws passed by Parliament, *ipso facto*, should apply to Jammu and Kashmir. It is a very logical statement, an absolutely logical statement. If we forget the context of things, this should be accepted without the slightest demur.

But life is not logic, life is much too complicated and our country is much too vast, much too old; we have inherited a

legacy, a legacy which is so heavy that we really have to grapple with it seriously and imaginatively. I suggest, therefore, that irresponsible statements in regard to Sheikh Abdullah and that sort of thing, irresponsible statements about the Kashmir question having been settled irrevocably, that kind of statement cannot continue to be made, and Government should proceed with introspection, with imagination, with discretion and at the same time keep our powder dry. In case there is trouble, we have to be ready. But we have to trust in good faith, trust in the quality of man, whether in India or in Pakistan, in order to be able to solve this question.

SHRI BAL RAJ MADHOK (South Delhi): I have great respect for Shri Mukerjee. He has said about irresponsible statement. I want to submit this. If saying that Kashmir is a part of India is an irresponsible statement, then I cannot think what can be a responsible statement! I think, it is very irresponsible on the part of Shri Mukerjee to have made a statement like this.

14.12 hrs.

RE. ALLEGED LATHI CHARGE ON SATYAGRAHIS

श्री कंबर लाल गुप्ता (दिल्ली सदर) : उपाध्यक्ष महोदय, अभी लगभग एक घण्टा पहले मध्य प्रदेश के पहले फाइनेंस मिनिस्टर श्री गुप्ता और उत्तर प्रदेश के भूतपूर्व मन्त्री श्री प्रभु नारायण सिंह आदि को मिला कर लगभग दो सौ व्यक्ति जो सत्याग्रह कर रहे थे उसको हमने देखा है। हम वहां पर इस सदन के दस बारह लोग मौजूद थे। उन पर लाठी चार्ज किया गया है। इतना ही नहीं कि लाठी चार्ज किया है बल्कि...

श्री मनुमाई पटेल (डभाई) : यह सत्याग्रह है ही नहीं। गुजरात में वे सत्याग्रह करने नहीं गए थे। मधु लिमये जी ने कहा है कि हम तो पुलिस का घेराव करेंगे। जो टीम बोर्डर का डिमाकेशन कर रही है उस टीम का घेराव करेंगे। घेराव करना कहां से सत्याग्रह हो गया ?

श्री कंबर लाल गुप्त : आप सुनिये तो सही ।

वहाँ पर हम करीब दस बारह सदस्य मौजूद थे । हमने स्वयं देखा है कि लोग शान्ति-पूर्ण ढंग से भ्रागे चल रहे थे । नारे लगा रहे थे और राष्ट्रीय और अपनी-अपनी संस्थाओं के झंडे उन्होंने अपने हाथों में लिये हुए थे । पुलिस के धोड़सवार जोर से आए, उन्होंने धोड़े दौड़ाये और उनको ठोकरें लगाई । पुलिस वालों ने लाठी चार्ज किया । किसी को गले से पकड़ा । उनकी पुलिस ने बेइज्जती की । तीन चार सत्याग्रही तो बेहोश हो गए और बहुत से बस्ती भी हो गए । यह हमारे सामने की बात है । इतना ही नहीं । जो पार्टी फ्लैग्स ले लिये हुए थे, पुलिस वालों ने उन फ्लैग्स को फाड़ डाला । यह बड़ी शर्म की बात है ।

इसके मुकाबले में आप यह देखें कि शेख अब्दुल्ला के साथ जब उसको पकड़ा जाता है तो किस प्रकार का व्यवहार किया जाता है । एक देशद्रोही के साथ तो अच्छा व्यवहार किया जाता है लेकिन जो हमारे मन्त्री रह चुके हैं, वे जब भाते हैं तो उन से इस तरह का व्यवहार किया जाता है । एक देश द्रोही पर तो बीस हजार रुपया खर्च किया जाता है और उसके साथ अच्छा व्यवहार किया जाता है लेकिन जो लोग उससे कहीं ज्यादा आदर के पात्र हैं उनके साथ ऐसा व्यवहार किया जाए, यह बहुत ही निन्दनीय बात है । इसकी मैं घोर निन्दा करता हूँ । मैं प्रार्थना करता हूँ कि आप होम मिनिस्टर से कहें कि वह इस सम्बन्ध में एक बयान दें । मैं यह भी माँग करता हूँ कि इस की ज्यूडिशल इनक्वायरी होनी चाहिये । इस तरह का व्यवहार दिल्ली के जिन पुलिस अफसरों ने किया है मैं चाहता हूँ कि उनको डिसमिस किया जाए ।

श्री मधु लिमये (मुंगेर) : उपाध्यक्ष महोदय, मैं बाकायदा प्रस्ताव रख रहा हूँ नियम 340 के अन्तर्गत...

श्री भ्रमल नाहाटा (बाड़मेर) : उसके लिए नोटिस देना पड़ता है ।

श्री मधु लिमये : नोटिस नहीं देना पड़ता है ।

इस वक्त श्री बिद्या चरण शुक्ल जी के विधेयक पर बहस चल रही है और मैं चाहता हूँ कि इस पर बहस को स्थगित कर इस मेरे प्रस्ताव पर बहस की जाए । आज मेरे मन में सन्देह पैदा हुआ है कि इस दिल्ली शहर में लोकतंत्र की संसदीय प्रणाली का शासन है या फौजी शासन या पलटनी राज शुरू हो गया है । छुड़सवार पुलिस इस राजधानी में लोगों को रौंदने का काम कर रही है । उपाध्यक्ष महोदय, आप तो पुराने आदमी हैं । 1930, 1932 के सिविल नाफरमानी आन्दोलन में आपने भी भाग लिया था । आपको तो याद हो होगा कि उन दिनों में जब सिविल नाफरमानी होती थी तो अंग्रेजों के छुड़सवार, माउंटिड पुलिस वाले हमले किया करते थे । आज उसी किस्म का नजारा सरदार पटेल के पुत्र के सामने लोगों ने देखा है । सरकार की हम निन्दा करना चाहते हैं । इसलिए मैं चाहता हूँ श्री शुक्ल जी के विधेयक पर बहस स्थगित की जाए और क्या इस शहर में फौजी शासन, पलटनी शासन, माउंटिड पुलिस का शासन कायम हो गया है, इस पर बहस की जानी चाहिये ।

MR. DEPUTY-SPEAKER : You have made use of this provision on several occasions. To that extent you had your opportunity. Even Mr. Gupta had written to me and I listened to him. What happened outside need not disturb the proceedings of the House. One hon. Member suggested whether it is 'Satyagraha' or not. But I silenced him. I am not going into that.

श्री मधु लिमये : बाकी सारी चीज ठीक है । लेकिन माउंटिड पुलिस के द्वारा हमला किया जा रहा है ।

MR. DEPUTY-SPEAKER : But I requested him not to raise that issue and he listened to my request. If there is anything which has to be brought to the notice of the Home Minister, it must be done in a proper manner. This is not the occasion.

श्री मधु लिमये : बयान दिलवाइये ।

MR. DEPUTY-SPEAKER : He listened to it. If anything...

श्री कंवर लाल गुप्त : सदन के दस बारह सदस्य वहाँ मौजूद थे आपको इनको कहना चाहिये कि ये बयान दें ।

MR. DEPUTY-SPEAKER : If anything, as you have said, has happened which shows excessive force was used or anything...

SHRI MADHU LIMAYE : Mounted police.

MR. DEPUTY-SPEAKER : Mounted police, we had also faced, I know, in those days. Apart from that...

SHRI BAL RAJ MADHOK (South Delhi) : I was not on the scene. But when I left this place at 1.25 in my car and when I wanted to enter the Parliament Street, the police stopped my car and I had to enter the Parliament Street from Rafi Marg. There was a lot of police and the way they stopped it—as Mr. Madhu Limaye has said—showed that it was almost a Police raj.

MR. DEPUTY-SPEAKER : Prof. Madhok conveyed the information that his car was stopped and he was prevented from entering the House. That is a different matter. But he raised something else. (Interruptions)

SHRI BAL RAJ MADHOK : Sir, the Delhi Police is under the Central Government, it is not under the Delhi Administration. Therefore, I want to submit that the Central Government is responsible for what the Police does here. Therefore, the Home Minister must make an inquiry and make a statement here.

श्री प्रकाशवीर शास्त्री (हापुड़) : अगर कंवर लाल गुप्त जी ने जो कुछ कहा है उस में वास्तविकता है और दस संसद सदस्यों ने यह दृश्य देखा है तो मामला काफी गम्भीर हो जाता है । जो मंत्री रह चुके हैं, सचमुच उन पर अगर षोड़े दीइये गये हैं और वे जल्मी हुए हैं तो यह चीज काफी गम्भीर है । इसके ऊपर गृह मंत्री को अपने स्तर पर जानकारी अवश्य लेनी चाहिये और उनको अपना वक्तव्य यहां देना चाहिये ।

MR. DEPUTY-SPEAKER : I won't consider this argument that ex-Ministers or former Ministers enjoy a special privilege. This House will not accept that argument. If they have exceeded the limits, it is for the Government to deal with them.

SHRI KANWAR LAL GUPTA : I agree that a special privilege is enjoyed only by Sheikh Abdullah.

MR. DEPUTY-SPEAKER : I am saying 'as a Satyagrahi'. That is all.

श्री जगन्नाथराव जोशी (भोपाल) : लाठी चार्ज किया जाता है तो मुझे कोई आपत्ति नहीं है । लेकिन कहीं से एक छोटा सा बैम्बू ले कर मारना और किसी पार्टी का जो झंडा है उसको फाड़ना, यह किसी भी कानून के अन्तर्गत नहीं आता है ।

MR. DEPUTY-SPEAKER : If all these facts are true, they will be ascertained. This is one version. The Government will have to find out what are the facts. (Interruptions)

SHRI BAL RAJ MADHOK : Shuklaji is sitting there. You can ask him to make a statement.

MR. DEPUTY-SPEAKER : That is all right, but he has to first ascertain the facts. How can he say that it is this ?

SHRI SHEO NARAIN (Basti) : Sir, he should give prior notice. He is creating *hulla-gulla* in the House and he is creating Satyagraha here.

श्री श्री० प्र० त्यागी (मुटादानाद) : वहां पर पुलिस ने जबर्दस्ती गिरफ्तारियां शुरू कर दी थीं। एम० पी० तक को गिरफ्तार करना उसने शुरू कर दिया था। मैंने कहा कि ये तो एम० पी० हैं इनको क्यों गिरफ्तार कर रहे हो तो उन्होंने कहा, नहीं, इनको भी गिरफ्तार करेंगे। एक स्त्री खड़ी थी। वह तामाशा देख रही थी। उसको भी पुलिस वाले बसीट रहे थे।

MR. DEPUTY-SPEAKER : Mr. Tyagi I agree, according to you, certain excesses were committed, but I do not know whether they were committed or not. I do not know because I was not an eye-witness. Therefore, your allegations are there. Government is listening. They will respond, if necessary, at the proper time.

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14.20 hrs.

CENTRAL LAWS (EXTENSION TO
JAMMU AND KASHMIR) BILL
—contd.

SHRI C. K. BHATTACHARYA (Raiganj) : The present Bill only extends certain Central Acts to Kashmir. To that extent the Bill is welcome. In that connection, other questions have come up. Along with these questions, the question of the status of Jammu and Kashmir and its position in the Indian Union has also cropped up.

Lot of discussion has centred over the question of the status of Kashmir and its position in the Indian Union. So far as this Bill is concerned, I am very happy that from a number of Central Acts the monotonous repetition of that phrase 'except the State of Jammu and Kashmir' is being taken away. In fact, in the speeches I have made earlier also, I have requested the Government that the monotonous repetition of this phrase should cease from the Central Acts, so that the Central Acts automatically will, as Mr. Mukherjee and Mr. Madhok have stated, *ipso facto* become applicable to the State of Jammu and Kashmir. And I am very happy the Home Minister has at last come to the view that at least from some of these Acts this ex-

pression should go, that they should take this step, so that all the Central Acts may be made equally applicable to Kashmir as they are to other parts of the Indian Union.

In that respect, Sir, the question of Article 370 has come up. Referring to that Article our late Prime Minister, Pandit Nehru had stated that we are depending upon the gradual erosion of that Article and by a process of gradual erosion that Article would cease to be effective. This we have all desired. By the Bill that the Home Minister has introduced today this is being done. This is a step in the process of that erosion and this Article is being eroded as we pass the Bill that has been introduced.

Mr. Mukerjee was referring to the attitude of the Kashmiris and the question of their attitude towards India. I believe, a man of literature as he is, he would agree with me that Kashmir is completely integrated with India, with Indian literature. No reference to Indian literature can be made without reference to Kashmir. Whether it is in mythology, or literature or poetry, wherever goes through the Indian literature finds Kashmir coming up. I believe Mr. Mukerjee will agree with me that in that way, Kashmir is completely integrated with Indian life and culture and history and society and everything. Kashmir has been described as पीठभूमि (Pithabhumi) of Saraswathi, pedestal of the goddess of learning. This has been the position since ages past from the Vedas, right up to this day.

Regarding the attitude of the Kashmiri people I have no doubt about this. Some references have been made by Mr. Mukerjee to Sheikh Abdullah and Bakshi Saheb. I had the privilege some years back to be in the same platform with Bakshi Saheb at Srinagar. And he spoke about the status of Kashmir relating to India. I still remember the memorable words that Bakshi Saheb said on that occasion. The words that he uttered at that time were :

यावत् चंद्रमा दिवाकर, काश्मीर भारत
में रहेगा।

AN HON. MEMBER : You never knew that Mr. Mukerjee was in jail then,